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PTO/SB/21 (12-07) Approved for use through 12/31/2007. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/672.377 **TRANSMITTAL** Filing Date September 26, 2003 First Named Inventor **FORM** Shigeaki Fukui Art Unit 1745 **Examiner Name** Echelmeyer, Alix Elizabeth (to be used for all correspondence after initial filing) Attorney Docket Number 848075/0055 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** below): Stamped, self-addressed postcard. Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name SCHULTE ROTH & ZABEL LLP Signature Printed name JOHN(C. GARCES Date Reg. No. December 10, 2007 40,616 **CERTIFICATE OF TRANSMISSION/MAILING**

CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Typed or printed name Roxanne Garcia Date December 10, 2007

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Applicant:

Shigeaki Fukui

Examiner:

Echelmeyer, Alix Elizabeth

Application No.:

10/672,377

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8545

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Group Art Unit:

1745

For:

BATTERY

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO THE OFFICE ACTION DATED SEPTEMBER 10, 2007

Sir:

This paper is in response to the Office Action dated September 10, 2007, on which the shortened statutory period for response expires on December 10, 2007. Accordingly, this response is timely filed.

Applicant respectfully requests the Examiner to reconsider the rejection of the claims and to further examine the application in view of the following amendments and remarks.

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Claims begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

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